

No. 9/8/86-6Lab/9057.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Sumeet International 15/2, Mathura Road, Faridabad :—

IN THE COURT OF SHRI A. S. CHALIA, PRESIDING OFFICER, LABOUR COURT,
FARIDABAD

Reference No. 755 of 1985

between

SHRI RAM SUNDER JHA, WORKMAN C/O, MERCANTILE EMPLOYEES ASSOCIATION H-347, NEW RAJINDER NAGAR, NEW DELHI AND THE
RESPONDENT-MANAGEMENT OF M/S SUMEET ENTER-
NATIONAL, 15/2, MATHURA ROAD,
FARIDABAD

Present :—

Workman with Shri Hoob Lal.

None for the respondent-management.

AWARD

This reference under section 10 (1) (c) of Industrial Disputes Act, 1947 (Act No. 14 of 1947) as amended from time to time and latest by Act No. 49 of 1984 (hereinafter referred as the said Act) was made to this Court by the State of Haryana (Department of Labour),—*vide* its endorsement No. 1D/FD/48404-8, dated 2nd December, 1985 to adjudicate upon the dispute of service matter covered by Second Schedule under Section 7 of the said Act, arisen between Shri Ram Sunder Jha, workman and the respondent management of M/s. Sumeet International, 15/2, Mathura Road, Faridabad. Accordingly, it has been registered as reference No. 755 of 1985.

2. On notice, the respondent had appeared on 27th March, 1986 and case was adjourned to 11th April, 1986 but on that date no body on behalf of the respondent appeared and as such proceeded *ex parte*,—*vide* order dated 11th April, 1986 passed by my learned predecessor. As a matter of precaution the respondent was again summoned but no body had appeared on 29th August, 1986.

3. In support of the claim Shri Ram Sunder Jha has appeared. It has been stated by him that on 7th January, 1977 he was appointed by the respondent as a Operator and his services were terminated on 4th June, 1985 without any notice and payment of compensation. I have heard him. It is clear from his statement that he had worked for more than 240 days with the respondent and is entitled for the benefits of continuous service defined in section 25-B of the said Act. It is also clear that his services has been terminated without any notice and payment of compensation and as such there is clear violation of section 25-F of the said Act. On the face of it, the order of termination is bad and as such the same stands revoked. Shri Ram Sunder Jha petitioner is hereby reinstated into his job with full back wages and further with continuity of service.

The award is given accordingly.

Dated the 12th September, 1986.

A. S. CHALIA,

Presiding Officer,
Labour Court,
Faridabad.

Endorsement No. 2322, dated the 25th September, 1986.

Forwarded (Four copies), to the Commissioner and Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

A. S. CHALIA,
Presiding Officer,
Labour Court,
Faridabad.